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C/015/018 Incoming

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DIV. OF OIL, GAS & MINING

#3585

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P.O. Box 310
15 North Main Street
Huntington, Utah 84528

June 30, 2010

HAND DELIVERED

Utah Division of Oil, Gas and Mining
1594 West North Temple, Suite 1210
P.O. Box 145801
Salt Lake City, Utah 84114-5801

Subj: Amendment to Update the Deer Creek Mining and Reclamation Permit, Volume 11, North Rilda Rilda Canyon Portal Facilities, PacifiCorp, Deer Creek Mine, C/015/0018, Emery County, Utah.

PacifiCorp, by and through its wholly-owned subsidiary, Energy West Mining Company ("Energy West"), as mine operator, hereby submits an amendment to update Volume 11, Volume 11 Appendix Volume A, and Volume 11 Appendix Volume B. The amendment includes an update as to the as-built conditions of the site since its completion in 2008.

Energy West is submitting this amendment to update Volume 11 in three parts and requests the each submittal receive a conditional approval by the Division. Submittals will be as follows:

Submittal 1 – Update Volume 11, Volume 11 Appendix Volume A, Volume 11 Appendix Volume B – text, maps, and data,

Submittal 2 – Update bonding calculations for the Rilda facilities (to include Chapter 800 Bonding),

Submittal 3 - Reduce the permit area for the Deer Creek Mine to include only those areas that are currently bonded.

Once the three submittals have been conditionally approved, the Division can give their final approval for this comprehensive amendment.

Updates for this first submittal for **Volume 11** include changes in Chapters 200 Soils through 700 Hydrology. Amended maps are also included in this volume; however, only two copies will have the PE signature. This signature signifies the design has been reviewed by a professional engineer. Once final approval has been granted, signatures for all "Clean Copy" maps will be provided.

Appendix Volume A includes two soil map updates (with PE signatures as stated above) as well as the comprehensive macro-invertebrate surveys in Rilda Creek. These surveys were performed by the Division of Wildlife Resources and a private contractor. Both surveys compliment each other and contain the same findings [construction of the Rilda facilities had no impact on water quality of the Rilda Creek]. The surveys were conducted between 2004 and 2008.

File In C 0150018 Incoming
Date: 06302010 Refer to:

☐ Confidential
☒ Shelf
☐ Expandable

For additional information

Appendix Volume B includes an updated hydrological design (Appendix B) for the facilities as built. Maps for the hydrology portion of the permit (with PE signatures as stated above) are included in this appendix. The entire Appendix B was revised, therefore, Energy West requests to remove the existing contents and replace with the updated version of Appendix B.

The required C1/C2 forms are included with this submittal. Seven (7) revised copies of Volume 11, Volume 11 Appendix Volume A, and Volume 11 Appendix Volume B are included. It is Energy West's hopes that by submitting this large permit revision in three parts, the burden of review will be reduced and the revisions will be focused and organized.

If you have any questions or concerns regarding this submittal, please contact Dennis Oakley at (435) 687-4825.

Sincerely,



Kenneth Fleck

Geology and Environmental Affairs Manager

Enclosures C1/C2 Forms
 Volume 11
 Volume 11 Appendix Volume A
 Volume 11 Appendix Volume B

APPLICATION FOR COAL PERMIT PROCESSING

Permit Change ☒ New Permit ☐ Renewal ☐ Exploration ☐ Bond Release ☐ Transfer ☐

Permittee: PacifiCorp

Mine: Deer Creek Mine

Permit Number: C/015/0018

Title: Amendment to Update the Deer Creek Mining and Reclamation Permit, Volume 11, North Rilda Canyon Portal Facilities, PacifiCorp, Deer Creek Mine, C/015/0018, Emery County, Utah.

Description, Include reason for application and timing required to implement:

Instructions: If you answer yes to any of the first eight (gray) questions, this application may require Public Notice publication.

- ☒ Yes ☐ No 1. Change in the size of the Permit Area? Acres: to be decided later ☐ increase ☒ decrease.
- ☐ Yes ☒ No 2. Is the application submitted as a result of a Division Order? DO# _____
- ☐ Yes ☒ No 3. Does the application include operations outside a previously identified Cumulative Hydrologic Impact Area?
- ☐ Yes ☒ No 4. Does the application include operations in hydrologic basins other than as currently approved?
- ☒ Yes ☐ No 5. Does the application result from cancellation, reduction or increase of insurance or reclamation bond?
- ☐ Yes ☒ No 6. Does the application require or include public notice publication?
- ☐ Yes ☒ No 7. Does the application require or include ownership, control, right-of-entry, or compliance information?
- ☒ Yes ☐ No 8. Is proposed activity within 100 feet of a public road or cemetery or 300 feet of an occupied dwelling?
- ☐ Yes ☒ No 9. Is the application submitted as a result of a Violation? NOV # _____
- ☐ Yes ☒ No 10. Is the application submitted as a result of other laws or regulations or policies?
- Explain: _____
- ☐ Yes ☒ No 11. Does the application affect the surface landowner or change the post mining land use?
- ☐ Yes ☒ No 12. Does the application require or include underground design or mine sequence and timing? (Modification of R2P2)
- ☐ Yes ☒ No 13. Does the application require or include collection and reporting of any baseline information?
- ☐ Yes ☒ No 14. Could the application have any effect on wildlife or vegetation outside the current disturbed area?
- ☐ Yes ☒ No 15. Does the application require or include soil removal, storage or placement?
- ☐ Yes ☒ No 16. Does the application require or include vegetation monitoring, removal or revegetation activities?
- ☒ Yes ☐ No 17. Does the application require or include construction, modification, or removal of surface facilities?
- ☒ Yes ☐ No 18. Does the application require or include water monitoring, sediment or drainage control measures?
- ☒ Yes ☐ No 19. Does the application require or include certified designs, maps or calculation?
- ☐ Yes ☒ No 20. Does the application require or include subsidence control or monitoring?
- ☒ Yes ☐ No 21. Have reclamation costs for bonding been provided?
- ☒ Yes ☐ No 22. Does the application involve a perennial stream, a stream buffer zone or discharges to a stream?
- ☐ Yes ☒ No 23. Does the application affect permits issued by other agencies or permits issued to other entities?

Please attach four (4) review copies of the application. If the mine is on or adjacent to Forest Service land please submit five (5) copies, thank you. (These numbers include a copy for the Price Field Office)

I hereby certify that I am a responsible official of the applicant and that the information contained in this application is true and correct to the best of my information and belief in all respects with the laws of Utah in reference to commitments, undertakings, and obligations, herein.

Kenneth Fleck
Print Name

Kenneth S. Fleck
Sign Name, Position, Date

Manager of Environmental Affairs

Subscribed and sworn to before me this 29 day of JUNE, 20 10

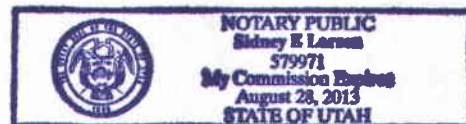
Notary Public

My commission Expires:

Attest: State of

County of

Sidney E. Larson
Utah 8-28, 2013 } ss:
Emery



For Office Use Only:

Assigned Tracking
Number:

Received by Oil, Gas & Mining

APPLICATION FOR COAL PERMIT PROCESSING

Detailed Schedule Of Changes to the Mining And Reclamation Plan

Permittee: PacifiCorp

Mine: Deer Creek

Permit Number: C/015/0018

Title: Amendment to Update the Deer Creek Mining and Reclamation Permit, Volume 11, North Rilda Canyon Portal Facilities, PacifiCorp, Deer Creek Mine, C/015/0018, Emery County, Utah.

Provide a detailed listing of all changes to the Mining and Reclamation Plan, which is required as a result of this proposed permit application. Individually list all maps and drawings that are added, replaced, or removed from the plan. Include changes to the table of contents, section of the plan, or other information as needed to specifically locate, identify and revise the existing Mining and Reclamation Plan. Include page, section and drawing number as part of the description.

DESCRIPTION OF MAP, TEXT, OR MATERIAL TO BE CHANGED

<input type="checkbox"/> Add	<input checked="" type="checkbox"/> Replace	<input type="checkbox"/> Remove	Volume 11, Introduction Tab, Text Section, Add Red-line text and remove Strikeout text
<input type="checkbox"/> Add	<input checked="" type="checkbox"/> Replace	<input type="checkbox"/> Remove	Volume 11, Introduction Tab, Replace Figures A, B, and C
<input type="checkbox"/> Add	<input type="checkbox"/> Replace	<input checked="" type="checkbox"/> Remove	Volume 11, General Tab, Remove Tab, and entire contents
<input type="checkbox"/> Add	<input checked="" type="checkbox"/> Replace	<input type="checkbox"/> Remove	Volume 11, Soils Tab, Text Section, Add Red-line text and remove Strikeout text
<input type="checkbox"/> Add	<input checked="" type="checkbox"/> Replace	<input type="checkbox"/> Remove	Volume 11, Biology Tab, Text Section, Add Red-line text and remove Strikeout text
<input type="checkbox"/> Add	<input checked="" type="checkbox"/> Replace	<input type="checkbox"/> Remove	Volume 11, R645-301-300 Biology Maps Tab, Replace Maps Table of Contents cover sheet
<input type="checkbox"/> Add	<input checked="" type="checkbox"/> Replace	<input type="checkbox"/> Remove	Volume 11, R645-301-300 Biology Maps Tab, Replace Maps 300-1, 300-2, 300-3, 300-4, 300-5 and 300-6
<input type="checkbox"/> Add	<input checked="" type="checkbox"/> Replace	<input type="checkbox"/> Remove	Volume 11, Land Use and Air Quality Tab, Text Section, Add Red-line text and remove Strikeout text
<input type="checkbox"/> Add	<input checked="" type="checkbox"/> Replace	<input type="checkbox"/> Remove	Volume 11, Land Use and Air Quality Tab, R645-301-400 Maps Tab, Replace Maps Table of Contents coversheet
<input type="checkbox"/> Add	<input checked="" type="checkbox"/> Replace	<input type="checkbox"/> Remove	Volume 11, R645-301-400 Land Use and Air Quality Maps Tab, Replace Map 400-1
<input type="checkbox"/> Add	<input checked="" type="checkbox"/> Replace	<input type="checkbox"/> Remove	Volume 11, Engineering Tab, Text Section, Add Red-line text and remove Strikeout text
<input type="checkbox"/> Add	<input type="checkbox"/> Replace	<input checked="" type="checkbox"/> Remove	Volume 11, Engineering Tab, Remove Appendix A
<input type="checkbox"/> Add	<input checked="" type="checkbox"/> Replace	<input type="checkbox"/> Remove	Volume 11, R645-301-500 Engineering Figures Tab, Replace Figure R645-301-500c
<input type="checkbox"/> Add	<input checked="" type="checkbox"/> Replace	<input type="checkbox"/> Remove	Volume 11, R645-301-500 Engineering Figures Tab, Replace Figure R645-301-500d
<input type="checkbox"/> Add	<input checked="" type="checkbox"/> Replace	<input type="checkbox"/> Remove	Volume 11, R645-301-500 Engineering Maps Tab, Replace Replace Maps Table of Contents cover sheet
<input type="checkbox"/> Add	<input checked="" type="checkbox"/> Replace	<input type="checkbox"/> Remove	Volume 11, R645-301-500 Engineering Maps Tab, Replace maps, 500-1 (1 of 3 thru 3 of 3), 500-3, 500-4 (1 of 4 thru 4 of 4), 500-5,
<input type="checkbox"/> Add	<input type="checkbox"/> Replace	<input checked="" type="checkbox"/> Remove	Volume 11, R645-301-500 Engineering Maps Tab, Remove maps 500-4 (5 of 5)
<input checked="" type="checkbox"/> Add	<input type="checkbox"/> Replace	<input type="checkbox"/> Remove	Volume 11, R645-301-500 Engineering Maps Tab, Add Rilda Facility Plans Package
<input type="checkbox"/> Add	<input checked="" type="checkbox"/> Replace	<input type="checkbox"/> Remove	Volume 11, Geology Tab, Text Section, Add Red-line text and remove Strikeout text
<input type="checkbox"/> Add	<input checked="" type="checkbox"/> Replace	<input type="checkbox"/> Remove	Volume 11, Geology Tab, Geology Maps Tab, Replace Maps Table of Contents cover sheet
<input checked="" type="checkbox"/> Add	<input type="checkbox"/> Replace	<input type="checkbox"/> Remove	Volume 11, Hydrology Tab, Add Red-line text and remove Strikeout text
<input type="checkbox"/> Add	<input checked="" type="checkbox"/> Replace	<input type="checkbox"/> Remove	Volume 11, Appendix Volume A, Soils, Appendix C, Replace Maps 200-1 and 200-2
<input checked="" type="checkbox"/> Add	<input type="checkbox"/> Replace	<input type="checkbox"/> Remove	Volume 11, Appendix Volume A, Biology, Appendix D, Add Macroinvertebrate Comprehensive Report (2004 - 2008)
<input checked="" type="checkbox"/> Add	<input type="checkbox"/> Replace	<input type="checkbox"/> Remove	Volume 11, Appendix Volume A, Biology, Appendix D, Add Macroinvertebrate Reports 2009
<input type="checkbox"/> Add	<input checked="" type="checkbox"/> Replace	<input type="checkbox"/> Remove	Volume 11, Appendix Volume B, Hydrology, Appendix B, Text Section, replace entire section.
<input type="checkbox"/> Add	<input checked="" type="checkbox"/> Replace	<input type="checkbox"/> Remove	Volume 11, Appendix Volume B, Hydrology, Appendix B, Figures Section, replace entire section.
<input type="checkbox"/> Add	<input checked="" type="checkbox"/> Replace	<input type="checkbox"/> Remove	Volume 11, Appendix Volume B, Hydrology, Appendix B, Tables Section, replace entire section.
<input checked="" type="checkbox"/> Add	<input type="checkbox"/> Replace	<input type="checkbox"/> Remove	Volume 11, Appendix Volume B, Hydrology, Appendix B, Appendices Section, Add Appendices 1-6.

<input type="checkbox"/> Add	<input type="checkbox"/> Replace	<input checked="" type="checkbox"/> Remove	Volume 11, Appendix Volume B, Hydrology, Appendix B, Remove Appendix 1, Computer Backup.
<input type="checkbox"/> Add	<input checked="" type="checkbox"/> Replace	<input type="checkbox"/> Remove	Volume 11, Appendix Volume B, Hydrology, Appendix B, Replace Maps 700-1, 700-2, 700-3, 700-4.
<input type="checkbox"/> Add	<input type="checkbox"/> Replace	<input checked="" type="checkbox"/> Remove	Volume 11, Appendix Volume B, Hydrology, Appendix B, Remove Maps 700-5 and 700-6.

Any other specific or special instruction required for insertion of this proposal into the Mining and Reclamation Plan.	Received by Oil, Gas & Mining